

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALEX LEONARD AZEVEDO,

Plaintiff,

v.

DEPARTMENT OF STATE HOSPITAL
COALINGA,

Defendant.

No. 1:24-cv-01373-KES-EPG

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO DENY IN
FORMA PAUPERIS STATUS AND
ORDERING PLAINTIFF TO PAY FILING
FEE

Doc. 13

Plaintiff Alex Leonard Azevedo is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 4, 2024, plaintiff filed his initial complaint along with a motion to proceed in forma pauperis. Docs. 1, 2. On November 26, 2024, the assigned magistrate judge issued findings and recommendations that plaintiff's application to proceed in forma pauperis be denied pursuant to 28 U.S.C. § 1915(g) and that plaintiff be required to pay the \$405.00 filing fee in full to proceed with this action. Doc. 13. Specifically, the findings and recommendations find that plaintiff has accumulated more than three "strikes" and that he has failed to demonstrate that he meets the imminent danger exception under 28 U.S.C. § 1915(g). *Id.* at 4. The findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within thirty days of service. *Id.* Plaintiff did not file any objections, and the deadline

1 to do so has passed.

2 Pursuant to 28 U.S.C. § 636 (b)(1), this Court conducted a de novo review of the case.
3 Having carefully reviewed the matter, the Court concludes the findings and recommendations are
4 supported by the record and proper analysis. Thus, plaintiff may not proceed in forma pauperis
5 and is required to pay the filing fee in full before proceeding any further with this action.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The findings and recommendations issued on November 26, 2024, Doc. 13, are
8 ADOPTED in full;
9 2. Plaintiff is PRECLUDED from proceeding in forma pauperis in this action pursuant to 28
10 U.S.C. § 1915(g); and
11 3. Plaintiff SHALL pay the \$405.00 filing fee within thirty (30) days of the date of service of
12 this order. If plaintiff fails to pay the filing fee within the specified time, this action will
13 be dismissed without further notice.

14
15
16 IT IS SO ORDERED.

17 Dated: January 16, 2025


UNITED STATES DISTRICT JUDGE